

Remarks

The Office Action mailed November 30, 2006, and made final, has been carefully reviewed and the foregoing amendments have been made in consequence thereof.

Claims 1-3, 5-18, 20-42, 48, 49, 51-53, 61-65, 67-70 and 75-84 are now pending in this application. Claims 1-3, 5-18, 20-42, 48, 49, 51-54, 61-65, 67-70 and 75-84 stand rejected. Claims 4, 19, 43-47, 50, 54-60, 66, and 71-74 have been canceled

The rejection of Claims 1-3, 5-18, 20-42, 48-49, 51-53, 61-65, 67-70 and 75-84 under 35 U.S.C. § 103(a) as being unpatentable over Libman (U.S. Patent No. 5,987,434) in view of Fredell et al. (U.S. Patent No. 6,678,698) (hereinafter referred to as "Fredell") is respectfully traversed.

Libman describes an apparatus including a data input module that inputs information related to prospective clients; a decision making logic circuitry for using the inputted information to select financial products to offer to prospective clients; and a sales presentation and output module for preparing a client communication (e.g., letter) which offers the financial products. The output device automatically incorporates a portion of the client information and a portion of the financial products information into the client communication so as to require very little human involvement. The apparatus also includes a telemarketing module and a new business module. The telemarketing module allows a client to update the client's information by contacting an operator who is logged into the system. The new business module creates records for new sales and also directs tasks that correspond with sales and new business. The new business module performs these tasks "**automatically with no human intervention.**"

Fredell describes a web-based method and system for communicating and managing information while performing due diligence related to possible acquisitions and mergers. The system and method **allows users to access and manage** due diligence documents, **manage** due diligence tasks, **discuss** due diligence issues, maintain a user directory, maintain a calendar, and view the status of due diligence projects

Applicants respectfully submit that Libman teaches away from Fredell. Specifically, Libman describes at Column 1, lines 9-12 that the invention "relates to apparatus and

methods for marketing [financial products] in a **fully automated or significantly automated manner** to achieve high volumes of transactions and sales in a short period of time.”

(Emphasis added) Accordingly, the goal of Libman is to automate the process with which insurance policies are marketed. In contrast, and as noted in the Office Action at pages 13 and 14, Fredell teaches that it is known to “assign members to a deal team for each deal between the business entity and the customer.” Accordingly, Fredell teaches against an automated system. Applicants submit that it would not be obvious to one of ordinary skill in the art to combine a **fully automated** system with a system that requires members of a deal team to perform tasks for completing a deal. Because Libman clearly teaches away from Fredell, Applicants submit that the Section 103 rejection is improper.

Further, Applicants submit that neither Libman nor Fredell, considered alone or in combination, describe or suggest the claimed invention. Specifically neither Libman nor Fredell, considered alone or in combination, describe or suggest creating a deal for a business entity to propose to a prospective customer, wherein the proposed deal is **specifically created and targeted to the prospective customer**. Rather Libman describes selecting a financial product from a pool of various existing financial products. Specifically, Libman recites at Column 4, lines 4-5 a system configured to “determine and/or compare client needs with various **available financial products**.” Accordingly, the client needs are merely matched with an existing financial product. Further, Fredell merely describes communicating and managing information while performing due diligence related to a possible acquisition and/or merger. Applicants submit that describing a system that matches a client need to an existing financial product and/or describing a method of performing due diligence does not describe or suggest **creating** a deal for a business entity to propose to a prospective customer, wherein the proposed deal is **specifically created and targeted to the prospective customer**.

Moreover, Applicants submit that neither Libman nor Fredell, considered alone or in combination, describe or suggest including **a link to a proposed deal that is specifically created and target to a prospective customer on a customized web page or portal**. Rather Libman describes inputting data into a database using an online network. Specifically, Libman recites at Column 7, line 59 through Column 8, line 3 that “[t]he means of inputting [client information] may vary depending on the format in which the information is available...as online networks such as the Internet gain widespread use and

acceptance...prospective client information may be received via modem.” Accordingly, Libman merely describes inputting prospective client information online. Further, Fredell merely describes communicating and managing information while performing due diligence related to a possible acquisition and/or merger. Applicants submit that describing inputting prospective client information online and/or describing managing information while performing due diligence does not describe or suggest including **a link to a proposed deal that is specifically created and target to a prospective customer on a customized web page or portal.**

Claim 1 recites a method for offering and managing at least one deal process between a business entity and a customer using a server system coupled to a database and in communication with a client system and having a plurality of users, the server associated with the business entity, the business entity engaged in a business of offering at least one of products and services to prospective customers, wherein the method comprising the steps of “prompting an administrator associated with the business entity to create a business profile at the server system for storing within the database, the business profile includes permissions granted to each user of the plurality of users associated with the business entity for at least one of accessing, creating, and modifying information stored within the database...identifying a prospective customer of the business entity...creating a deal for the business entity to propose to the identified prospective customer, the proposed deal is specifically created and targeted by the business entity to the identified prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity...creating at least one of a web page and a portal customized for attracting the identified prospective customer to the proposed deal, wherein the at least one customized web page and portal includes a link to the proposed deal specifically created and targeted to the identified prospective customer, and wherein the at least one customized web page and portal is stored within the database...offering the proposed deal to the identified prospective customer by displaying on the client system the at least one web page and portal customized for attracting the prospective customer to the proposed deal...prompting a permissioned user associated with the business entity to create a deal and a deal library at the server system after the prospective customer has selected the proposed deal, wherein the deal library for the deal includes an organizational structure for storing information therein that is automatically created based on the type of deal, and includes at least one default template automatically

stored therein that is based upon the type of deal...designating the prospective customer that selected the proposed deal as the customer of the business entity within the server system, the deal representing a financial transaction between the customer and the business entity, the deal library representing a portion of the database for storing documents created as part of the financial transaction...assigning members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal...assigning the customer to the deal team and granting permissions to the customer for accessing specific documents stored in the deal library...assigning at the server system tasks and milestones to be performed by the deal team members for completing the deal...notifying the deal team members of the assigned tasks to be performed and milestones...tracking each task and milestone for completing the deal...enabling the customer to monitor the progress of the deal by displaying on the client system a status of the deal.”

Applicants submit that neither Libman nor Fredell, considered alone or in combination, describe or suggest a method for offering and managing at least one deal process between a business entity and a customer, as is recited in Claim 1. Specifically neither Libman nor Fredell, considered alone or in combination, describe or suggest creating a deal for a business entity to propose to a prospective customer, wherein the proposed deal is **specifically created and targeted to the prospective customer**. Rather Libman describes selecting a financial product from a pool of various existing financial products. Specifically, Libman recites at Column 4, lines 4-5 a system configured to “determine and/or compare client needs with various **available financial products**.” Accordingly, the client needs are merely matched with an existing financial product. Further, Fredell merely describes communicating and managing information while performing due diligence related to a possible acquisition and/or merger. Applicants submit that describing a system that matches a client need to an existing financial product and/or describing a method of performing due diligence does not describe or suggest **creating** a deal for a business entity to propose to a prospective customer, wherein the proposed deal is **specifically created and targeted to the prospective customer**.

Further, Applicants submit that neither Libman nor Fredell, considered alone or in combination, describe or suggest including **a link to a proposed deal that is specifically**

created and target to a prospective customer on a customized web page or portal.

Rather Libman describes inputting data into a database using an online network.

Specifically, Libman recites at Column 7, line 59 through Column 8, line 3 that “[t]he means of inputting [client information] may vary depending on the format in which the information is available...as online networks such as the Internet gain widespread use and acceptance...prospective client information may be received via modem.” Accordingly, Libman merely describes inputting prospective client information online. Further, Fredell merely describes communicating and managing information while performing due diligence related to a possible acquisition and/or merger. Applicants submit that describing inputting prospective client information online and/or describing managing information while performing due diligence does not describe or suggest including **a link to a proposed deal that is specifically created and target to a prospective customer on a customized web page or portal.**

For at least the reasons set forth above, Applicants respectfully submit that Claim 1 is patentable over Libman in view of Fredell.

Claims 2, 3, 5-15, and 79 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2, 3, 5-15, and 79 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2, 3, 5-15, and 79 likewise are patentable over Libman in view of Fredell.

Claim 16 recites a system comprising “at least one computer configured as a server associated with a business entity engaged in a business of offering at least one of products and services to prospective customers, said server coupled to a database for storing business profiles, libraries and templates...at least one client system connected to said server through a network, said server configured to...prompt an administrator associated with the business entity to create a business profile, the business profile includes permissions granted to each user of a plurality of users associated with the business entity for at least one of accessing, creating, and modifying information stored within the database...identify a prospective customer of the business entity...create a deal for the business entity to propose to the identified prospective customer, the proposed deal is specifically created and targeted by the business entity to the identified prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity...create at least one of a web page and a portal

customized for attracting the identified prospective customer to the proposed deal, wherein the at least one customized web page and portal includes a link to the proposed deal specifically created and targeted to the identified prospective customer, and wherein the at least one customized web page and portal is stored within the database...offer the proposed deal to the identified prospective customer by displaying on the at least one client system for the prospective customer the at least one web page and portal customized for attracting the prospective customer to the proposed deal...prompt a permissioned user associated with the business entity to create a deal and a deal library after the prospective customer has selected the proposed deal, wherein the deal library for the deal includes an organizational structure for storing information therein that is automatically created based on the type of deal, and includes at least one default template automatically stored therein that is based upon the type of deal...designate the prospective customer that selected the proposed deal as the customer of the business entity, the deal created at the server representing a financial transaction between the customer and the business entity, the deal library representing a portion of the database for storing documents created as part of the financial transaction...assign members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal...assign the customer to the deal team and grant permissions to the customer for accessing specific documents stored in the deal library...prompt a user to assign tasks and milestones to be performed by the deal team members for completing the deal, the tasks and milestones are entered using templates stored within the database...notify the deal team members of the assigned tasks to be performed and milestones accomplished...track each task and milestone for completing the deal...enable the customer to monitor the progress of the deal by displaying on the client system a status of the deal.”

Claim 16, as herein amended, recites a system comprising a computer configured as a server and configured to perform steps essentially similar to those recited in Claim 1. Thus, it is submitted that Claim 16 is patentable over the combination of Libman and for reasons that correspond to those given with respect to Claim 1.

Claims 17, 18, 20-30, and 80 depend, directly or indirectly, upon Claim 16. When the recitations of Claims 17, 18, 20-30, and 80 are considered in combination with the recitations

of Claim 16, it is submitted that Claims 17, 18, 20-30, and 80 are likewise patentable over the combination of Libman and Fredell.

Claim 31 recites apparatus comprising “means for an administrator associated with a business entity to create business profiles, the business entity engaged in a business of offering at least one of products and services to prospective customers, the business profile includes permissions granted to each user of a plurality of users associated with the business entity for at least one of accessing, creating, and modifying information stored within the database...means for identifying a prospective customer of the business entity...means for storing records of the identified prospective customer within the database...means for creating a deal for the business entity to propose to the identified prospective customer, the proposed deal is specifically created and targeted by the business entity to the identified prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity...means for creating at least one of a web page and a portal customized for attracting the identified prospective customer to the proposed deal, wherein the at least one customized web page and portal includes a link to the proposed deal specifically created and targeted to the identified prospective customer, and wherein the at least one customized web page and portal is stored within the database...means for offering the proposed deal to the identified prospective customer by displaying on a client system the at least one web page and portal customized for attracting the prospective customer to the proposed deal...means for prompting a permissioned user associated with the business entity to create a deal and a deal library for the proposed deal after the prospective customer has selected the proposed deal, wherein the deal library for the deal includes an organizational structure for storing information therein that is automatically created based on the type of deal, and includes at least one default template automatically stored therein that is based upon the type of deal...means for designating the prospective customer that selected the proposed deal as the customer of the business entity, the deal created representing a financial transaction between the customer and the business entity, the deal library representing a portion of the database for storing documents created as part of the financial transaction...means for assigning members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal...means for assigning the customer to the deal team and granting permissions to the customer for accessing specific documents stored in the deal

library...means for assigning tasks and milestones to be performed by the deal team members for completing the deal...means for notifying the deal team members of the assigned tasks to be performed and milestones...means for tracking each task and milestone for completing the deal...means for enabling the customer to monitor the progress of the deal by displaying on the client system a status of the deal.”

Claim 31, as herein amended, recites an apparatus that includes means for performing steps similar to those recited in Claim 1. Thus, it is submitted that Claim 31 is patentable over the combination of Libman and Fredell for reasons that correspond to those given with respect to Claim 1.

Claims 32-42 and 81 depend, directly or indirectly, upon Claim 31. When the recitations of Claims 32-42 and 81 are considered in combination with the recitations of Claim 31, it is submitted that Claims 32-42 and 81 are likewise patentable over the combination of Libman and Fredell.

Claim 48 recites a method for initiating a deal transaction between a business entity and at least one customer using a server system coupled to a database and in communication with a client system, the client system having a user interface, the server associated with a business entity engaged in a business of offering at least one of products and services to prospective customers, wherein the method comprising the steps of “prompting an administrator associated with the business entity to create a business profile at the server system for storing within the database, the business profile includes permissions granted to each user of a plurality of users associated with the business entity for at least one of accessing, creating, and modifying information stored within the database...identifying a prospective customer of the business entity...creating a deal for the business entity to propose to the identified prospective customer, the proposed deal is specifically created and targeted by the business entity to the identified prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity...creating at least one of a web page and a portal customized for attracting the identified prospective customer to the proposed deal, wherein the at least one customized web page and portal includes a link to the proposed deal specifically created and targeted to the identified prospective customer, and wherein the at least one customized web page and portal is stored within the database...offering the proposed deal to the identified prospective customer by displaying on the user interface of the

client system the at least one web page and portal customized for attracting the prospective customer to the proposed deal...prompting a permissioned user associated with the business entity to create a deal and a deal library at the server system after the prospective customer has selected the proposed deal, the deal library for the deal including an organizational structure for storing information therein that is automatically created based on the type of deal, and includes at least one default template automatically stored therein that is based upon the type of deal...designating the prospective customer that selected the proposed deal as the customer of the business entity within the server system, the deal created at the server representing a financial transaction between the customer and the business entity, the deal library representing a portion of the database for storing documents created as part of the financial transaction...assigning members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal...displaying a library template for the deal downloaded from the server system for prompting a user associated with the business entity for the deal to organize documents associated with the deal within the deal library stored in the database...assigning the customer to the deal team and granting permissions to the customer for accessing specific documents stored in the deal library...assigning at the server system tasks and milestones to be performed by the deal team members for completing the deal...notifying the deal team members of the assigned tasks to be performed and milestones...tracking each task and milestone for completing the deal...enabling the customer to monitor the progress of the deal by displaying on the client system a status of the deal.”

Claim 48, as herein amended, recites a method for initiating a deal transaction that includes at least some steps that are similar to those recited in Claim 1. Thus, it is submitted that Claim 48 is patentable over the combination of Libman and Fredell for reasons that correspond to those given with respect to Claim 1.

Claims 49, 51-54, and 83 depend, directly or indirectly, upon Claim 48. When the recitations of Claims 49, 51-54, and 83 are considered in combination with the recitations of Claim 48, it is submitted that Claims 49, 51-54, and 83 are likewise patentable over the combination of Libman and Fredell.

Claim 61 recites a computer program embodied on a computer-readable medium for managing a deal process between a business entity and a prospective customer, the business entity engaged in a business of offering at least one of products and services to prospective customers, wherein the program comprises at least one code segment that receives information and then "prompts an administrator associated with the business entity to create a business profile for storing within a database, the business profile includes permissions granted to each user of a plurality of users associated with the business entity for at least one of accessing, creating, and modifying accessing information stored within the database...identifies a prospective customer of the business entity...creates a deal for the business entity to propose to the identified prospective customer, the proposed deal is specifically created and targeted by the business entity to the identified prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity...creates at least one of a web page and a portal customized for attracting the identified prospective customer to the proposed deal, wherein the at least one customized web page and portal includes a link to the proposed deal specifically created and targeted to the identified prospective customer, and wherein the at least one customized web page and portal is stored within the database...offers the proposed deal to the identified prospective customer by displaying for the prospective customer the at least one web page and portal customized for attracting the prospective customer to the proposed deal...prompts a permissioned user associated with the business entity to create a deal and a deal library after the prospective customer has selected the proposed deal, the deal library for each selected deal including an organizational structure for storing information therein that is automatically created based on the type of deal, and includes at least one default template that is automatically stored therein and based upon the type of deal...designates the prospective customer that selected the proposed deal as the customer of the business entity, the deal created at the server representing a financial transaction between the customer and the business entity, the deal library representing a portion of the database for storing documents created as part of the financial transaction...assigns members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal...assigns the customer to the deal team and grants permissions to the customer for accessing specific documents stored in the deal library...assigns tasks and milestones to be performed by the deal team members for completing the deal...notifies the deal team members of the assigned tasks to be performed

and milestones...tracks each task and milestone for completing the deal...enables the customer to monitor the progress of the deal by displaying on the client system a status of the deal.”

Claim 61, as herein amended, recites a computer program embodied on a computer-readable medium for managing a deal process between a business entity and a prospective customer that includes a code segment that performs steps similar to those recited in Claim 1. Thus, it is submitted that Claim 61 is patentable over the combination of Libman and Fredell for reasons that correspond to those given with respect to Claim 1.

Claims 62-66 and 82 depend, directly or indirectly, upon Claim 61. When the recitations of Claims 62-66 and 82 are considered in combination with the recitations of Claim 61, it is submitted that Claims 62-66 and 82 are likewise patentable over the combination of Libman and Fredell.

Claim 67 recites a computer for managing a deal process between a business entity and a prospective customer, the computer coupled to a database, the business entity engaged in a business of offering at least one of products and services to prospective customers, the computer programmed to “prompt an administrator associated with the business entity to create a business profile for storing within the database, the business profile includes permissions granted to each user of a plurality of users associated with the business entity for at least one of accessing, creating, and modifying information stored within the database...identify a prospective customer of the business entity...create a deal for the business entity to propose to the identified prospective customer, the proposed deal is specifically created and targeted by the business entity to the identified prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity...create at least one of a web page and a portal customized for attracting the identified prospective customer to the proposed deal, wherein the at least one customized web page and portal stored within the database...offering the proposed deal to the identified prospective customer by displaying for the prospective customer the at least one web page and portal customized for attracting the prospective customer to the proposed deal...prompt a permissioned user associated with the business entity to create a deal and a deal library after the prospective customer has selected the proposed deal, wherein the deal library for the deal includes an organizational structure for storing information based therein that is automatically created

based on the type of deal, and includes at least one default template that is automatically stored therein and based upon the type of deal...designate the prospective customer that selected the proposed deal as the customer of the business entity, the deal created at the server representing a financial transaction between the customer and the business entity, the deal library representing a portion of the database for storing documents created as part of the financial transaction...assign members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal...assign the customer to the deal team and grant permissions to the customer for accessing specific documents stored in the deal library...assign tasks and milestones to be performed by the deal team members for completing the deal...notify the deal team members of the assigned tasks to be performed and milestones...track each task and milestone for completing the deal...enable the customer to monitor the progress of each assigned deal by displaying on the client system a status of the deal.”

Claim 67, as herein amended, recites a computer program embodied on a computer-readable medium for managing a deal process between a business entity and a prospective customer that includes a code segment that performs steps similar to those recited in Claim 1. Thus, it is submitted that Claim 67 is patentable over the combination of Libman and Fredell for reasons that correspond to those given with respect to Claim 1.

Claims 68-70 and 84 depend, directly or indirectly, upon Claim 67. When the recitations of Claims 68-70 and 84 are considered in combination with the recitations of Claim 67, it is submitted that Claims 68-70 and 84 are likewise patentable over the combination of Libman and Fredell.

For the reasons given above, it is respectfully requested that the Section 103 rejection of Claims 1-3, 5-18, 20-42, 48-49, 51-53, 61-65, 67-70 and 75-84 be withdrawn.

The rejection of Claims 54 as being unpatentable over Libman is respectfully traversed. Claim 54 was canceled in the previously filed response. Accordingly, the rejection of Claim 54 is moot and, therefore, Applicants respectfully request the Section 103 rejection of Claim 54 be withdrawn.

In view of the foregoing amendments and remarks, all the Claims now active in the application are believed to be in condition for allowance. Favorable action is respectfully solicited.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Daniel M. Fitzgerald", is written over a horizontal line.

Daniel M. Fitzgerald
Reg. No. 38,880
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070